

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Carl-Axel Bauer et al. Art Unit : 1628
Serial No. : 10/010,283 Examiner : Jennifer M. Kim
Filed : November 13, 2001 Conf. No. : 5064
Title : USE FOR BUDESONIDE AND FORMOTEROL

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

AND INTERVIEW SUMMARY

As discussed in a telephone conference with the Examiner on December 22, 2010, it has come to Applicants' attention that two references listed on the Form PTO-1449 submitted with the Information Disclosure Statement filed November 12, 2009, and initialed by the Examiner on February 1, 2010, were not accurately cited on that Form PTO-1449 due to typographical errors. The two references are listed on that Form PTO-1449 as reference no. 26 (Cochrane et al.) and no. 28 (Smeenk et al.). The author name and the title of the Cochrane et al. reference are accurately shown on that Form PTO-1449, but the rest of the citation provided for that reference is incorrect. The Smeenk et al. citation is accurate but incomplete, as it fails to provide the full citation and includes only the date of the partial translation, not the date of the reference. So that the information appearing on the face of the patent will be correct and complete, Applicants enclose a new Form PTO-1449 with the correct full citation for Cochrane et al. and Smeenk et al. As the Examiner has already reviewed the articles originally submitted and they are of record in the file (in fact, the Smeenk et al. reference, including a full translation, has been cited at least twice by the Office during prosecution, including in Office actions dated January 29, 2002, and March 5, 2010), it is believed there is no need to re-submit copies of the articles.

During the telephone conference, the Examiner agreed to ensure that the correct citations for these two references are made of record.

Subsequently, Applicants identified another typographical error on another Form PTO-1449, this one submitted with the Information Disclosure Statement filed November 9, 2001, and

CERTIFICATE OF MAILING BY EFS-WEB FILING

I hereby certify that this paper was filed with the Patent and Trademark Office using the EFS-WEB system on this date: December 23, 2010.

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initialed by the Examiner on January 25, 2002. This third error is in reference "AC", which is shown as "WO 93/1173" but should have been "WO 93/11773". Applicants include the correct citation "WO 93/11773" on the enclosed new Form PTO-1449. As the correct reference was submitted with the November 9, 2001, Information Disclosure Statement and so has been considered by the Examiner, it is believed there is no need to submit a new copy.

Applicants apologize for the errors in these citations and thank the Examiner for graciously agreeing to ensure that they are corrected in the file and on the face of the patent that will issue from the present application.

If any fees are due, charge them to Deposit Account No. 06-1050, referencing Attorney Docket No. 06275-0150003.

Respectfully submitted,

Date: December 23, 2010

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Substitute Form PTO-1449 (Modified)		U.S. Department of Commerce Patent and Trademark Office		Attorney Docket No. 06275-0150003	Application No. 10/010,283	
Information Disclosure Statement by Applicant (Use several sheets if necessary) (37 CFR §1.98(b))		Applicant Carl-Axel Bauer et al.				
		Filing Date November 13, 2001	Group Art Unit 1628			

Foreign Patent Documents or Published Foreign Patent Applications							
Examiner Initial	Desig. ID	Document Number	Publication Date	Country or Patent Office	Class	Subclass	Translation Yes No
	1	WO 93/11773	06/24/93	PCT			

Other Documents (include Author, Title, Date, and Place of Publication)							
Examiner Initial	Desig. ID	Document					
	2	G.M. Cochrane, "Bronchial asthma and the role of β_2 agonists" in <i>Formoterol, a new generation β_2 agonist</i> : an international symposium held during the 8 th Congress of the European Society of Pneumology, Freiburg, Federal Republic of Germany, September 1989, Editors Peter J. Barnes and Heinrich Matthys, published by Hogrefe and Huber Publishers, Toronto 1990, at pages 24-30.					
	3	Smeenk et al., "Opportunistische longinfecties bij patienten met chronische obstructieve longziekte; een bijwerking van inhalatiecorticosteroïden?" Nederlands Tijdschrift voor Geneeskunde, 140(2):94-98, 1996, Partial English translation dated March 11, 2003, included.					

Examiner Signature	Date Considered
EXAMINER: Initials citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	